

# Notice of Allowability

Application No.

10/014,823

Examiner

Michael R. Gayeski

Applicant(s)

DE JONG ET AL.

Art Unit

2143

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/8/2005.
2. ☒ The allowed claim(s) is/are 1-3.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

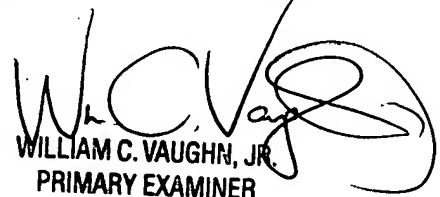
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
WILLIAM C. VAUGHN, JR.  
PRIMARY EXAMINER

### **DETAILED ACTION**

1. The amendment filed 12/8/2005 has been entered.

### ***Response to Arguments***

2. Applicant's arguments, see "Remarks", pages 5-6, filed December 8, 2005, with respect to claims 1-3 have been fully considered and are persuasive. Therefore, the rejection of claims 1-3 has been withdrawn.

### ***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance: the closest art of record (Makower, U.S. Pub 2002/0184507) teaches a similar method for identifying a user, but does not teach or suggest in detail the specific arrangement of peer groups and identifying information as recited by the independent claims (See Paragraphs 118-129 on pages 61-64 of Applicant's specification for an enabling disclosure). Specifically, the closest art of record teaches the use of an authentication peer group to authenticate a user (Makower, Paragraph 20, 23), but does not teach an authentication peer group capable of authenticating a user with a particular identification randomized ID. Examiner notes that since Applicant specifically defines an 'identification randomized ID' as a pseudo-random identifier (See paragraph 119 on page 61 of Applicant's specification), the methods of user authentication taught by Makower (See paragraph 32) cannot be considered to be an identification randomized ID. Furthermore, the only use of a identifier taught by Makower is used to authenticate web server 20, rather than the user.

Accordingly, taking into account Applicant's specification, the closest art of record fails to teach all limitations of the claimed invention.

4. **Claims 1-3** are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R. Gayeski whose telephone number is 571-272-0978. The examiner can normally be reached on M-F: 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael R Gayeski  
Examiner  
Art Unit 2143

*mrg*  
mrg  
3 March 2006

*W.C. Vaughn, Jr.*  
WILLIAM C. VAUGHN, JR.  
PRIMARY EXAMINER